

MINUTES

P & Z COMMISSION HEARING

February 21, 2008

ATTENDANCE P&Z Commissioners

ATTENDED

1. Wendell DeCross, Vice-Chairman
2. Evelyn M. Meadows
3. Joel Lawson
4. Ruth Ann Smith
5. Robert Ingels
6. Rick Slone

ABSENT

Carol Davis
Jason Hatch
Tom Thomas

Staff Attendance

1. Linda Elliott, Planner
2. Bill Fraley, Deputy Director of Planning and Zoning
3. Veronica Dale, Office Manager

Meeting held at the Navajo County Board of Supervisors Chambers, Holbrook, Arizona – Time 6: 02 p.m.

Wendell DeCross called the meeting of the Navajo County Planning & Zoning Commission to order and explained the meeting procedures to the public and thanked those in attendance and welcomed them to share their input and concerns with the Commission. **Mr. DeCross** then led the Pledge of Allegiance. **Bill Fraley** introduced the new Planner, **Linda Elliott**, to the Commission.

Item #1 – SPECIAL USE PERMIT: Discussion and possible Commission action on a request by Ronald Curtin for a Special Use Permit for a Guest Ranch to allow for one principal dwelling, one barn and four cabins for rentals on a 40 acre property known as APN: 404-70-019 in Township 11 North, Range 23 East, Section 13 of the Gila and Salt River Meridian, in the Chamisa Ranches area.

Bill Fraley presented a topographical and aerial map of the location as well as a site plan. Mr. Fraley explained that property was posted and nearby owners were sent letters notifying them of this request. A letter was received from the Vernon Fire Department stating they would provide service to the area and Mr. Fraley said the owners are also in contact with the White Mountain Lake Fire Department. Mr. Fraley asked that Mr. Curtin address the issues of fire protection and medical services.

The Engineering department has numerous concerns with the proposal, as submitted. They include: 1) Access to the facility is remote, and on dirt roads. If it does generate significant business, the roads may not be able to adequately handle the traffic. There is only one sufficient access road to the site. Traffic will generate a lot of dust, with an attendant environmental impact. 2) The remoteness of the facility creates significant challenges for fire safety professionals. The lack of an assured water supply could lead to a significant forest fire threat. There is no evidence provided of adequate fire department service to the site. 3) There appears to be a question about adequate power to the site. This should be resolved before the Commission grants the Special use Permit. 4) Lastly, the remoteness of the site and its intended use raise a question about the availability of emergency medical services. Since the intent is to invite “city dwellers” to the area to experience “first time” horseback tours, the need to have reasonable access to medical facilities in the event of an accident must be considered.

Flood Control has no objection for the proposed Special Use Permit. Full compliance with the Flood Control permitting process will be required. Parcel 404-70-019 is shown on FEMA map 2375D and the FEMA floodplain map shows this area to be in a Zone C outside the floodplain. However the topographical map “Ortega Mountain” shows that this parcel falls in a closed basin area subject to long term flooding. The elevation for parcel 404-70-019 per the topographical map ranges from 6340 to 6260

feet of elevation. Since the parcel has significant slope, the buildings can be located on higher ground and built on stem walls thus avoiding both basin flooding and sheet flooding.

The Planning & Zoning Department does not object to the Special Use Permit as long as an agreement is in place with a fire department/district to provide services, and an emergency services/medical support plan is in place.

The Public Works Department commented that should the Commission grant this Special Use Permit request, staff would recommend the following conditions be applied: 1) The Special Use Permit shall run with the land. 2) This Special Use Permit shall permit the development of a guest ranch with one primary residence, four cabins, one barn, and other related facilities on the subject property. 3) The permitted Special Use shall be allowed to occur only in the location shown on the approved site plan. 4) No building or structure may be occupied prior to complete compliance with all appropriate Building Department requirements, to include grading and drainage plans if necessary and the issuance of a building permit for the proposed structures.

Ronald Curtin, the applicant/owner, was present. Mr. Curtin said the County staff has been professional and terrific to work with. Mr. Curtin stated their plans are currently with the building department, but they are not able to proceed due to the Special Use Permit being applied for. Mr. Curtin presented photographs of the roads in the area, which are not paved but cinder will be put down. Mr. Curtin added that this would be a great experience and a positive place for their small family business. Mr. Curtin provided an amended site plan other than what was originally submitted.

Bob Herman spoke in favor of the proposed project and said it would be a positive impact to the area.

Karen Baldwin spoke in opposition to the project. Ms. Baldwin was concerned that all of the traffic will be using Grant and Stanford Road, which are Apache County roads, as they are bearing the road maintenance and repairs for those roads. Ms. Baldwin asked if there will be an access to their location coming from Navajo County and what the water table was.

Mr. DeCross commented that there is no other access that leads to the property.

Mr. Fraley asked if Apache County is paying for the maintenance on the road or if there is participation by the citizens in the area on the maintenance. **Ms. Baldwin** answered that it is through their tax dollars.

Robert Ingels said he was not able to visit the site but appreciated staff's work on getting the information ahead of time. Mr. Ingels said this seems to be a project with good intentions. The original site plan shows the cabins in a different location, and Mr. Ingels asked what the setbacks were. **Mr. Curtin** said the structures are at least 100 feet from the property line.

Mr. Ingels asked if the property owners to the West have been notified. **Mr. Fraley** said the property owners in question were notified.

Joel Lawson said he appreciated the document that showed which property owners were notified.

Mr. DeCross asked how deep the well was and if Mr. Curtin has had the water tested. **Mr. Curtin** said it is about 240 feet deep and he has not had the water tested. **Mr. DeCross** commented that if there were more trees around, he may be concerned about fire protection, but was not at this point.

Rick Slone asked what size of storage he would have for water and if that would be adequate with the Fire Department. **Mr. Curtin** said his tank is 3000 gallons. Mr. Curtin asked for formal annexation into the White Mountain Lakes Fire Department for fire protection and was encouraged to install a pumper on their property. The Vernon Fire Department said it would not be a problem. **Mr. Slone** felt there wouldn't be high impact to the road, and an overall good project.

Mr. Ingels read his notes regarding the Permit, and noted that any stables for animals would have to be not less than 100 feet from all lot lines; which would not be in conflict with the code. **Mr. Fraley** commented that if it is approved, it would act in the same manner. The way it is shown on the site plan, he would not be able to go any closer to the property line. **Mr. Slone** suggested that they still have it within 100 feet, even if it is not required.

Ruth Ann Smith, said she was concerned with ATV/off road vehicle use and glad to see that it would not be utilized, as it would be noxious to the neighbors and leave 'foot prints' on the land. Ms. Smith asked the Commission for their feedback and if adding a stipulation would be appropriate. **Mr. DeCross** said they would be headed down a road of unknown if they allowed that. **Mr. Lawson** said that a family on a ranch could own and utilize ATV's. **Ms. Smith** said that use is different than recreational use. **Mr. DeCross** said he appreciates the concern but felt that they didn't need to take a look at the ATV use as a problem.

Mr. Ingels said he has seen in other public meetings where a noise ordinance has been requested due to the use of ATV's. **Mr. Lawson** said they are deciding on approving a Special Use Permit for the guest ranches, not ATV use. **Mr. Slone** felt that they should not try to regulate that, as it is not their intention.

Mr. Lawson asked if the Special Use Permit would only be applicable to the use as requested, it would not include ATV use, and if they wanted that, they'd have to come back to the Commission for another Permit. **Mr. Fraley** said they can stipulate that for on site.

Robert Ingels "moved that the Special Use Permit for this use on this parcel, (on the 40 acre parcel) that the site plan was shared with the Commission tonight and the stipulations provided by staff be adhered to."

Joel Lawson seconded the motion. Motion passed with a vote of 6-0 and by Resolution **08:02P**.

Item #2 – Possible approval of December 20, 2007 Minutes. **Robert Ingels** made a motion to accept the minutes as presented. **Evelyn Meadows** seconded the motion. All in favor, motion carried.

Item #3 -. Possible approval of January 17, 2008 Minutes. **Robert Ingels** made a motion to recommend approval. **Ruth Ann Smith** seconded the motion. All in favor, motion carried.

Item #4 – Commissioner's Comments and directions to staff. Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions choosing. **Robert Ingels** appreciates staff's work and welcomed Linda Elliott to the staff. **Mr. Fraley** said he will have Dusty give a presentation of the budget. **Mr. DeCross** thanked the Commissioners for attending this evening. **Mr. Ingels** wanted to thank Jim Matteson for the report he received. **Mr. Fraley** appreciated the commissioner's attendance. **Mr. Ingels** added that he would like to see the outcome of the actions that go to the Board to see if they've been approved or denied. **Mr. DeCross** has spoken with Mr. Brownlow and noted that there have been instances where the Board has approved what the Commission had denied. Mr. DeCross suggested that perhaps a work study group with the Board would better their understanding on what they expect.

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 7:09p.m.

Approved this _____ day of _____, _____.

Chairman, Navajo County Planning & Zoning Commission

ATTEST:

Secretary, Navajo County Planning & Zoning Department